

TUNBRIDGE WELLS BOROUGH COUNCIL**PLANNING COMMITTEE**

MINUTES of the meeting held at the Council Chamber, Town Hall, Royal Tunbridge Wells, TN1 1RS, at 6.30 pm on Wednesday, 19 October 2022

Present: Councillor Trevor Poile (Chair)

Councillors Warne (Vice-Chair), Atwood, Bland, Le Page, Moon, Pope and Wakeman

Officers in Attendance: Peter Hockney (Development Manager), Carlos Hone (Head of Planning), Hannah Young (Strategic Sites and Delivery Team Leader), Thomas Vint (Senior Planning Officer), Tracey Wagstaff (Senior Lawyer Mid Kent Legal Services) and Emer Moran (Democratic Services Officer)

Other Members in Attendance: Councillors

CHAIR'S INTRODUCTION

PLA40/22 The Chairman opened the meeting, introduced Committee members and officers in attendance, and outlined procedural matters of the meeting.

APOLOGIES

PLA41/22 Apologies were received from Councillors, Bailey, Fitzsimmons, Johnson and Patterson.

Councillor Britcher-Allan was not present.

DECLARATIONS OF INTEREST

PLA42/22 No declarations of interest were made.

DECLARATIONS OF LOBBYING (IN ACCORDANCE WITH THE PROTOCOL FOR MEMBERS TAKING PART IN THE PLANNING PROCESS, PART 5, SECTION 5.11, PARAGRAPH 6.6)

PLA43/22 Councillors Atwood, Moon, Pope, Wakeman and Poile advised that they had been lobbied by objectors on agenda item PLA47/22, Swatlands Farm, Lucks Lane, Paddock Wood.

Councillors Atwood, Pope, Wakeman, Warne and Poile advised that they had been lobbied by objectors on agenda item PLA49/22, 23 Belvedere Terrace, Church Road, Royal Tunbridge Wells.

Councillors Atwood, Pope, Wakeman, Warne and Poile advised that they had been lobbied by objectors on agenda item PLA50/22, 23 Belvedere Terrace, Church Road, Royal Tunbridge Wells.

Councillors Moon, Pope, Wakeman, Warne and Poile advised that they had been lobbied by objectors on agenda item PLA50/22, Pastheap Farm, The Meadows, Hastings Road, Pembury.

SITE INSPECTIONS

PLA44/22 Members had not undertaken any site visits.

TO APPROVE THE MINUTES OF THE MEETING DATED 1 SEPTEMBER 2022

PLA45/22 **RESOLVED** – That the minutes of the meeting dated Thursday 1 September 2022 be recorded as a correct record.

REPORTS OF HEAD OF PLANNING SERVICES (ATTACHED)

PLA46/22

APPLICATION FOR CONSIDERATION - 22/01929/OUT SWATLANDS FARM, LUCKS LANE, PADDOCK WOOD

PLA47/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA47/22 Swatlands Farm, Lucks Lane, Paddock Wood and this was summarised at the meeting by Mr James Moysey Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – Since publication of the agenda:

- **Condition 22 was amended to read:** The developer should have regard to the MRL acoustic report (ref RL/100/1836.1v1 dated February 2022) and shall submit for approval written evidence that the development at each reserved matters stage meets all the recommendations specified in the report prior to occupation. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of preserving residential amenity.

Registered Speakers – There were 4 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Objectors:

- Helen Wren, a local resident
- Mr David Ebdon, a local resident

Supporters:

- Mr Jonathan Buckwell, Planning Director DHA Planning
- Mr Rob Smith, DHA Planning

Matters of Clarification by Officers and Committee Members' Questions to Officers included:

- i. Paragraph 10.210 of the report addressed the timing of the application where it stated, that an application had been submitted and the LPA was required to assess the application on its merits and determine.
- ii. Kent County Council (KCC) Highways and National Highways had been consulted on the application and had deemed the access arrangements suitable and acceptable and considered that it had no detrimental impact on highway and pedestrian safety.
- iii. Condition 33 in the report outlined details of the signage strategy.
- iv. Paragraph 10.168 in the report addressed flooding which was highlighted along with conditions related to sustainable drainage,

- specifically condition 18.
- v. Condition 19 in the report outlined carbon reduction and it was noted that these buildings were modern which adhered to modern day building regulations.
 - vi. The Tunbridge Wells Borough Council Environmental (TWBC) Team had been consulted and raised no objections and conditions 22 and 23 addressed noise and external lighting.
 - vii. As part of the signage strategy, it was confirmed that a left only sign was required at the entry/exit point of the application site.
 - viii. Officers considered that the available evidence showed a need for this employment given that the economic evidence base that underpinned the emerging local plan showed that there was need for employment growth in the Borough and TWBC needed to prepare and plan for that.
 - ix. In a report undertaken by SKW Paddock Wood was identified as a successful industrial location however, there was limited room for expansion within the existing employment areas and limited vacant units. Jobs needed to be created in order to create a sustainable new community.
 - x. It was advised that enforcement of the road signage was within the limits of both TWBC and KCC Highways.
 - xi. It was advised that the traffic modelling had been based on a worst case scenario in terms of the mix of uses, where the most number of employees on site were arriving and departing in peak hours and this ensured that the mitigation secured and delivered was capable of mitigating anything within the scope.
 - xii. The master planning work that had been undertaken for the submission local plan for Paddock Wood as well as other surrounding sites and in addition to the 3,500 new homes had been factored in and a robust and comprehensive infrastructure schedule had been provided.
 - xiii. The concerns of residents related to storage was acknowledged. The flood/drainage strategy was discussed and it was advised that there were a number of different options that the applicant had to consider as part of the final scheme at reserved matters stage.
 - xiv. It was confirmed that the application would not be allowed to progress if the mitigation measures related to flood risk were not delivered.
 - xv. If Members were minded, it was within their gift to vary the wording of the Condition 22 which related to the acoustic report to include reference to each reserved matters stage.
 - xvi. Officers advised that they considered the conditions in place were robust, and prevented occupation of premises until Southern Water carried out their measures.
 - xvii. It was advised that Section (S) 106 payments had been agreed and these went towards a pot of money for longer term schemes that had been identified e.g. roundabout, bus route subsidy as well as others.
 - xviii. With regard to safety and security, this was something that would be looked at in much greater detail at reserved matters stage, however, an informative had been added for the applicant which suggested some of the comments made by the Police were taken on board.
 - xix. Design South East, a design view panel who had experience in delivering garden settlements across the country, had provided expert advice to TWBC. These consultations which were expected

to continue provided expert input into how to ensure security of public whilst open links were maintained and retain an open site.

Committee Member debate and Officer clarification included:

- i. Flooding spoken about at length and it was acknowledged as a major concern for residents, however it was felt that it had been addressed in the report and would be looked at further at reserved matters stage.
- ii. It was suggested that Southern Water had not visited the site and did a desktop survey.
- iii. It was considered that access to the new development within the existing Luck's Lane rural lane that not been able to mitigate increased HGV traffic and increased traffic to feed the site.
- iv. It was suggested that not enough consideration had been given to access via the Maidstone Road.
- v. Light and noise pollution was raised as a concern.
- vi. Possible protection of wildlife and trees on site issues were highlighted.
- vii. Officers confirmed that it was not uncommon to have an extensive list of conditions for an outline application this size. It was expected that the number of conditions would be tightened at reserved matters stage.
- viii. Members were reminded that conditions were in place to direct development and to sure that it was delivered in accordance with the standards set by Members decision and were the standard requirement from any planning approval.
- ix. The design review panel was welcomed.
- x. It was hoped that the attenuation tanks were enough to improve flood management.
- xi. It was noted that this was an allocated site in the submission local plan, and Members acknowledged that they needed to judge it on it's merits.
- xii. It was felt that the plan was appropriate and the work gone into the conditions was noted.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Bland, seconded by Councillor Warne and a vote was taken to approve the application in line with the officer recommendation.

Councillor Moon requested that his vote against the Officer recommendation be noted.

RESOLVED – That application PLA47/22 be granted subject to the completion of a Section 106 agreement and the plans, conditions and informatives as set out in the agenda report and amended condition 22.

APPLICATION FOR CONSIDERATION - 22/02191/FULL 23 BELVEDERE TERRACE, CHURCH ROAD, ROYAL TUNBRIDGE WELLS

PLA48/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA48/22 23 Belvedere Terrace, Church Road, Royal Tunbridge Wells and this was summarised at the meeting by Ms Kirsty Minney, Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – None.

Registered Speakers – There were 4 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Objectors:

- Mr Dan Newman, a local resident.
- Ms Camilla Davison, a local resident.
- Mr Tim Jebb, a local resident.

Supporters:

- Mr Rod Boorman, the applicant.

Matters of Clarification by Officers and Committee Members' Questions to Officers included:

- i. On the matter of enforcement, it was stated that the Council had a duty to investigate alleged breaches of planning control and in this case an investigation was carried out, a breach was identified and the retrospective application had been submitted and brought before Planning Committee for consideration.
- ii. The key aspect of the raised parapet was something the Tunbridge Wells Borough Council (TWBC) Conservation Officer was unable to support therefore it had been removed and taken away from consideration on the application.
- iii. The TWBC Conservation Officer gave her assessment on the merits and the impact of the extension on the terrace.
- iv. It was confirmed that the materials for the external finishes were outlined on the planning permission conditions and additional requirements in terms of the joinery details on the listed building consent application that were required for submission. It was considered that they provided adequate and suitable protection.
- v. Members were advised that if they were minded to refuse the application there needed to be sound planning grounds on which the refusal was based, this was difficult given that the TWBC Conservation Officer had raised no objections and there were no valid planning reasons for refusal.

Committee Member debate and Officer clarification included:

- i. A number of concerns were raised about maintaining the heritage of the grade 2 listed property.
- ii. The concerns raised by members of the public were understood.
- iii. The TWBC Legal Officer reiterated the point made that the application was to be assessed on its own merits and the outcome if Members were minded to refuse the application with no solid planning reasons.
- iv. The policies and considerations were the same whether an application was proposed or retrospective, based on the local policies and material considerations which included guidance from the NPPF.
- v. It was stated that the breach consisted of new fabric added to the property and not removed and that was why it was considered acceptable and not as severe.
- vi. Building regulations procedures checked foundations and walls and were different to planning regulations.
- vii. It was stated that it was not possible to monitor every application

- given that the Planning department received over 4,000 applications a year.
- viii. The Planning Enforcement Team reacted to a complaint made, a breach was identified, discussions were had with the TWBC Conservation Officer who deemed the change was not of a level of harm that was unacceptable and a retrospective application was invited to Committee to regularise it.
 - ix. Frustration was felt that the Committees options were limited to address something that went wrong.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Warne, seconded by Councillor Poile and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA48/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 22/02192/LBC 23 BELVEDERE TERRACE, CHURCH ROAD, ROYAL TUNBRIDGE WELLS

PLA49/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA49/22 23 Belvedere Terrace, Church Road, Royal Tunbridge Wells and this was summarised at the meeting by Ms Kirsty Minney, Planning Officer and illustrated by means of a visual presentation.

The minutes for this application are noted under minute item PLA48/22 23 Belvedere Terrace, Church Road, Royal Tunbridge Wells.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Warne seconded by Councillor Poile and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA49/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 22/01774/FULL PASTHEAP FARM, THE MEADOWS, HASTINGS ROAD, PEMBURY

PLA50/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA50/22 Bracken Corner, 40 Bracken Road, Royal Tunbridge Wells and this was summarised at the meeting by Mr James Moysey Principal Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – Since publication of the report two conditions were added:

- **Condition** – Prior to the hereby approved development commencing, a scheme for biodiversity mitigation and enhancement, which seeks to provide an overall net gain for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. It shall be implemented in accordance with the approved proposals within it and shall be carried out in

perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure the protection and necessary mitigation of protected species and to seek biodiversity net gain.

And

- **Condition** – Prior to any above ground works taking place details of landscaping shall be submitted to and approved in writing by the local planning authority. The landscape scheme shall specifically provide additional tree planting within the site.

Reason: These details are required prior to the commencement of development as no such details have been submitted and to ensure a satisfactory setting and external appearance to the development.

Registered Speakers – There were 2 speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Supporters:

- Mr Simon McKay, Director SJM Planning

Borough Councillor not on the Planning Committee:

- Councillor David Hayward, spoke in objection to the application on behalf of Pembury Parish Council.

Matters of Clarification by Officers and Committee Members' Questions to Officers included:

- i. It was stated that Officers had assessed the application on its planning merits and Members were reminded that the application was not retrospective and correct procedures had been applied.
- ii. It was confirmed that the size difference was set out in the table within the report and the application was considered to be acceptable in terms of its visual impact and impact on the AONB and that included correspondence with the Council's Landscape Officer.
- iii. Paragraph 10.04 in the report addressed the issue raised related to inappropriate development in the Green Belt.

Committee Member debate and Officer clarification included:

- i. The developers commitment to speak to the applicant about enforcement issues was welcomed.
- ii. Condition 6 in the report addressed the issue related to the usage of the building which was for agricultural or equestrian purposes only.
- iii. The scale of the application was questioned.
- iv. It was commented that this application had to be looked at strictly on Planning law.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Atwood, seconded by Councillor Bland and a vote

was taken to approve the application in line with the officer recommendation.

Councillor Le Page requested that his abstention from voting be noted.

RESOLVED – That application PLA50/22 be granted subject to the plans, conditions and informatives as set out in the agenda report and the additional conditions noted above.

APPLICATION FOR CONSIDERATION - 22/02211/FULL BRACKEN CORNER, 40 BRACKEN ROAD, ROYAL TUNBRIDGE WELLS

PLA51/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA51/22 Bracken Corner, 40 Bracken Road, Royal Tunbridge Wells and this was summarised at the meeting by Mr Thomas Vint Senior Planning Officer and illustrated by means of a visual presentation.

Updates and additional representation – None.

Registered Speakers – There were no speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Matters of Clarification by Officers and Committee Members' Questions to Officers included:

- i. It was confirmed that the application was brought before Planning Committee as the owner of the property was the partner of a former employee of Tunbridge Wells Borough Council.

Committee Member debate and Officer clarification included:

- i. No matters of significance were discussed.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Pope, seconded by Councillor Le Page and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA51/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPLICATION FOR CONSIDERATION - 22/02788/LBC TOWN HALL, MOUNT PLEASANT ROAD, ROYAL TUNBRIDGE WELLS

PLA52/22 **Planning Report and Presentation** – The Head of Planning Services submitted a report in respect of application PLA52/22 Town Hall, Mount Pleasant Road, Royal Tunbridge Wells and this was summarised at the meeting by Mr Peter Hockey Development Manager and illustrated by means of a visual presentation.

Updates and additional representation – None.

Registered Speakers – There were no speakers that registered in accordance with the Council's Constitution (Planning Committee Procedure Rules)

Matters of Clarification by Officers and Committee Members' Questions

to Officers included:

- i. No matters of significance were discussed.

Committee Member debate and Officer clarification included:

- i. No matters of significance were discussed.

Decision/voting – On the basis that members were satisfied that all relevant planning considerations had been covered within the report, a motion was proposed by Councillor Atwood, seconded by Councillor Bland and a vote was taken to approve the application in line with the officer recommendation.

RESOLVED – That application PLA52/22 be granted subject to the plans, conditions and informatives as set out in the agenda report.

APPEAL DECISIONS FOR NOTING 2 AUGUST 2022 TO 10 OCTOBER 2022

PLA53/22 **RESOLVED** – That the list of appeal decisions provided for information, be noted.

URGENT BUSINESS

PLA54/22 There was no urgent business for consideration.

DATE OF NEXT MEETING

PLA55/22 The next Planning Committee meeting was scheduled for Wednesday 16 November 2022.

NOTE: The meeting concluded at 9.26 pm.